

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

ADA MERCEDES CONDE VIDAL and
IVONNE ÁLVAREZ VÉLEZ; MARITZA
LÓPEZ AVILES and IRIS DELIA RIVERA
RIVERA; JOSÉ A. TORRUELLAS IGLESIAS
and THOMAS J. ROBINSON; ZULMA
OLIVERAS VEGA and YOLANDA ARROYO
PIZARRO; JOHANNE VÉLEZ GARCÍA and
FAVIOLA MELÉNDEZ RODRÍGUEZ; and
PUERTO RICO PARA TOD@S,

Plaintiffs,

v.

ALEJANDRO J. GARCIA PADILLA, in his
official capacity as Governor of the
Commonwealth of Puerto Rico; ANA RIUS
ARMENDARIZ, in her official capacity as
Secretary of the Health Department of the
Commonwealth of Puerto Rico; WANDA
LLOVET DIAZ, in her official capacity as
Director of the Commonwealth of Puerto Rico
Registrar of Vital Records; and MELBA ACOSTA
FEBO, in her official capacity as Director of the
Treasury in Puerto Rico,

Defendants.

Civil Action No. 3:14-cv-01253-PG

**PLAINTIFFS' MOTION FOR LEAVE TO FILE MEMORANDUM OF LAW
IN EXCESS OF PAGE LIMIT**

Plaintiffs Ada M. Conde Vidal and Ivonne Álvarez Vélez, by and through their attorney;
and Plaintiffs Maritza López Aviles and Iris Delia Rivera Rivera; José A. Torruellas Iglesias and
Thomas J. Robinson; Zulma Oliveras Vega and Yolanda Arroyo Pizarro; Johanne Vélez García
and Faviola Meléndez Rodríguez; and Puerto Rico Para Tod@s, an organization, by and through

their attorneys (collectively “Plaintiffs”), respectfully request leave to file a memorandum of law in excess of page limit:

1. On March 25, 2014, Plaintiffs Ada M. Conde Vidal and Ivonne Álvarez Vélez filed their complaint [Docket No. 1]. On June 25, 2014, Plaintiffs filed their Amended Complaint [Docket No. 7].

2. On July 18, 2014, Defendants Governor Alejandro J. García Padilla, Secretary of Health Ana Rius Armendariz, Director of the Vital Statistics Registry Wanda Llovet Díaz, and Secretary of the Treasury Melba Acosta Febo (collectively “Defendants”) filed a motion for extension of time until August 27, 2014, to answer Plaintiffs’ complaint or otherwise plead [Docket No. 28], to which Plaintiffs filed a partial opposition on July 21, 2014 [Docket No. 29]. This Court granted Defendants’ motion for extension on July 28, 2014 [Docket No. 30].

3. On August 27, 2014, Defendants filed a motion to dismiss Plaintiffs’ Amended Complaint, together with an accompanying memorandum of law in support [Docket No. 31]. Defendants’ memorandum of law in support of their motion to dismiss is 23 pages in length and raises numerous arguments, including Plaintiffs’ standing, Plaintiffs’ alleged failure to state a claim, abstention pursuant to *Burford v. Sun Oil Co.*, 319 U.S. 315 (1943), and lack of subject matter jurisdiction under *Baker v. Nelson*, 409 U.S. 810 (1972), among others.

4. Plaintiffs understand that Rule 7(d) of the Local Civil Rules for the U.S. District Court for the District of Puerto Rico has been interpreted to provide that an opposition to a motion to dismiss should not exceed fifteen (15) pages in length, although that provision of the Rule appears to apply only to non-dispositive motions. See *Quiles-Santiago v. Rodríguez Díaz*, 851 F.Supp.2d 411, 415 n.2 (D.P.R. 2012) (“Local Rule 7(d) provides in relevant part that “non-

dispositive motions and memoranda or oppositions to those motions [to dismiss] shall not exceed fifteen (15) pages in length.”) (alteration in original).

5. Due to the complexity and number of issues raised in Defendants’ motion to dismiss, Plaintiffs, pursuant to Local Rule 7, hereby respectfully request leave to file a memorandum of law in opposition to Defendants’ motion to dismiss not to exceed 25 pages in length.

WHEREFORE, Plaintiffs request that this Court grant leave to file a memorandum that is no more than 25 pages in length.

Dated: September 4, 2014

Respectfully submitted,

/s/ Omar Gonzalez-Pagan

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CERTIFICATE OF SERVICE

I, Omar Gonzalez-Pagan, an attorney, hereby certify that on September 4, 2014, I served upon counsel of record for all parties by electronically filing the foregoing with the Clerk of the Court using the CM/ECF system.

/s/ Omar Gonzalez-Pagan